

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHRISTOPHER R. CARMICHAEL,

Plaintiff,

v.

No. CV 10-0369 BB/KBM

UNITED STATES MARSHAL SERVICE, et al.,

Defendants.

FINAL ORDER OF DISMISSAL WITHOUT PREJUDICE

This matter is before the Court *sua sponte*. On April 4, 2011, the Court entered an order directing Plaintiff to cure certain filing defects. Plaintiff has not complied with the April 4 order or made any other filings since the Court entered the order. Plaintiff's failure to comply with the Court's order or statutory requirements, or to show cause for excusing the failure, constitutes grounds for dismissing his complaint. *See Baker v. Suthers*, 9 F. App'x 947, 949 (10th Cir. 2001); *In re Smith*, 114 F.3d 1247, 1251 (D.C. Cir. 1997) ("Under the PLRA, failure to comply with any of these requirements may result in dismissal of a prisoner's action."); *Advantedge Bus. Grp. v. Thomas E. Mestmaker & Assoc.*, 552 F.3d 1233, 1236 (10th Cir. 2009). The Court will dismiss Plaintiff's complaint without prejudice for failure to comply with the Court's order and statutory filing requirements.

IT IS THEREFORE ORDERED that Plaintiff's complaint is DISMISSED without prejudice, and this action is DISMISSED.


UNITED STATES DISTRICT JUDGE